

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JERRY D. POUGH,

Petitioner,

vs.

DOUG GILLESPIE, *et al.*,

Respondents.

2:13-cv-00644-JCM-NJK

ORDER

Before the court is a document that is purportedly petitioner's pro se petition for a writ of habeas corpus. On April 17, 2013, the clerk of court's initial notice to petitioner that a case had been opened was served on petitioner at his address of record. On April 23, 2013, that notice was returned by the U.S. Postal Service as undeliverable (*see* ECF #3).

Pursuant to Rule 2-2 of the Local Rules of Special Proceedings and Appeals, a *pro se* litigant is required to keep the court apprised of his or her current address at all times. Local Rule 2-2 states: "The plaintiff [or petitioner] shall immediately file with the court written notification of any change of address. The notification must include proof of service upon each opposing party or the party's attorney. Failure to comply with this rule may result in dismissal of the action"

1 Accordingly, as petitioner has failed to file written notification of change of address with the court, this
2 action is dismissed without prejudice to the filing of a new petition on the proper form in a new action
3 with an application to proceed *in forma pauperis* also on the proper form with all required attachments.
4 Petitioner at all times remains responsible for properly exhausting his claims, for calculating the running
5 of the federal limitation period as applied to his case, and for properly commencing a timely-filed federal
6 habeas action.

7 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis*
8 (ECF #1) and the motion for leave to file excess pages (ECF #2) are both **DENIED** and that this action
9 shall be **DISMISSED** without prejudice to the filing of a new petition in a new action with a properly
10 completed application to proceed *in forma pauperis*.

11 **IT IS FURTHER ORDERED** that the clerk shall enter judgment accordingly and close
12 this case.

13 Dated May 16, 2013.

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16 UNITED STATES DISTRICT JUDGE
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